

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:13CR79-RJC

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	<b>PRELIMINARY ORDER</b>
	)	<b>OF FORFEITURE AND</b>
v.	)	<b>MONEY JUDGMENT</b>
	)	
PHANI RAJU BHIMA RAJU,	)	
	)	
Defendant.	)	

In the Bill of Information in this case, the United States sought forfeiture of property pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982, 21 U.S.C. § 853, and 28 U.S.C. § 2461(c), as proceeds of the crime charged, together with any substitute property, which would be subject to forfeiture under § 853(p).

Defendant entered into a plea agreement; subsequently pled guilty to Counts One through Five in the Bill of Information; and was adjudged guilty of the offenses charged in those counts. (Doc. No. 3: Plea Agreement; Doc. No. 6: Acceptance and Entry of Guilty Plea). Based on evidence in the record, including the affidavit of Special Agent Deborah A. McColgan, ICE-DHS, which was originally filed in a related seizure warrant matter, (Case No. 3:12-mj-330, Doc. No. 1: Application), the Court finds that defendant obtained proceeds of his crimes in the amount of at least \$1.5 million and that the sum of \$207,706.08 seized from his accounts at Bank of America constitutes a portion of those proceeds.

In the alternative, the Court finds in accordance with 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), that, as a result of acts of the defendant, criminal proceeds in the amount of at least \$207,706.08 cannot be located upon the exercise of due diligence, have been

transferred to one or more third parties, and/or have been placed beyond the jurisdiction of the Court. The sum of \$207,706.08 seized from defendant's accounts at Bank of America is other property of the defendant and is preliminarily forfeited to the United States as substitute property for a corresponding portion of the sum of \$1.5 million in criminal proceeds, subject to adjudication of any third party interests. Following final forfeiture of the \$207,706.08, the defendant shall receive a credit for that amount against the \$1.5 million forfeiture money judgment.

**It is therefore ORDERED** that the following property is forfeited to the United States: **the sum of \$1.5 million in criminal proceeds**, in the form of a money judgment against the defendant for this amount.

It is further ORDERED that the following specific property is forfeited to the United States: **the sum of \$207,706.08** seized on or about December 17, 2012, from Bank of America accounts number xxxxxxxx8797 and xxxxxxxx7166.

Signed: April 22, 2013

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

